

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:24-cv-00384

Brian Gaston,
Plaintiff,

v.

Martin O'Malley, Commissioner of the SSA,
Defendant.

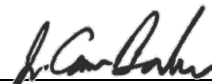
ORDER

Plaintiff Brian Gaston filed this action seeking judicial review of an unfavorable decision by the commissioner concerning entitlement to benefits. Doc. 1. The case was referred to a magistrate judge pursuant to 28 U.S.C. § 636(b).

Defendant filed an unopposed motion to reverse and remand, agreeing to offer plaintiff the opportunity for another hearing. Doc. 14 at 2. The magistrate judge issued a report recommending that defendant's motion to reverse and remand be granted. Doc. 15. The parties did not file written objections.

When no party objects to the magistrate judge's report, the court reviews the record only for clear error. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996). Having reviewed the magistrate judge's report, and being satisfied that it contains no clear error, the court accepts its findings and recommendation. Defendant's motion to reverse and remand (Doc. 14) is granted. The commissioner's final decision is reversed, and the matter is remanded for further administrative proceedings pursuant to the fourth sentence of 42 U.S.C. § 405(g). Any pending motions are denied as moot.

So ordered by the court on April 25, 2025.



J. CAMPBELL BARKER
United States District Judge